

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----	X	
	:	
SECUTIES AND EXCHANGE COMMISSION,	:	
	:	
Plaintiff,	:	23-MC-432 (VEC)
	:	
-against-	:	<u>ORDER</u>
	:	
MARKMAN BIOLOGICS CORP. and ALAN	:	
SHINDERMAN,	:	
	:	
Defendants.	:	
	:	
-and-	:	
	:	
ASPEN ASSET MANAGEMENT SERVICES, LLC,	:	
	:	
Relief Defendant.	:	
	:	
-----	X	

VALERIE CAPRONI, United States District Judge:

WHEREAS on November 16, 2023, Alan Shinderman and Aspen Asset Management Services, LLC (the “Movants”) moved for an order compelling Dr. Barry Markman and Judy Markman (“the Markmans”) to comply with certain subpoenas *duces tecum* and for an order holding the Markmans in civil contempt (the “Motion”), *see* Mot., Dkt. 4;

WHEREAS on November 16, 2023, the Court ordered the Markmans to show cause why the Motion should not be granted by December 1, 2023, and ordered the Movants to serve the Court’s November 16, 2023, Order (the “Order”) on the Markmans and to post proof of service by November 17, 2023, *see* Order, Dkt. 8;

WHEREAS on November 17, 2023, the Movants filed proof of service of the Order via both email and UPS express mail, *see* Proof of Service, Dkt. 9;

WHEREAS on December 1, 2023, counsel for the Markmans notified the Court that they had received the Order; and

WHEREAS to date, the Markmans have not responded to the Order and counsel for the Markmans has not entered an order of appearance;

IT IS HEREBY ORDERED that not later than **Wednesday, December 6, 2023**, the Markmans must respond to the Order, or the Court will treat the Motion as unopposed. If the Markmans timely respond, any reply from the Movants must be filed not later than **Tuesday, December 12, 2023**.

IT IS FURTHER ORDERED that the Movants must serve a copy of this order to show cause on the Markmans solely via email and file proof of service by **Tuesday, December 5, 2023**.

**SO ORDERED.**

**Date: December 4, 2023**  
**New York, NY**



---

**VALERIE CAPRONI**  
**United States District Judge**